

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
FOURTH DIVISION
Criminal No.: 22-CR-207 (JRT/ECW)**

United States of America,)	
)	
Plaintiff,)	DEFENDANT’S MOTION FOR
)	ROUGH NOTES, LOGS AND
)	EVIDENCE
Justin White,)	
)	
Defendant.)	

Defendant, Justin White, by and through his attorney, James M. Ventura, respectfully moves the Court for an Order directing the Government to obtain, and preserve for production, all rough notes prepared by law enforcement authorities, including their civilian agents, during the course of the investigation of this case; notes of witness interviews conducted by Prosecutors and/or investigating agents; and notes and logs relating to physical surveillance, execution of search warrants, overheard or monitored conversations, interviews of Defendant and other investigative activities.

In support of this Motion, Defendant states as follows:

1. Notes prepared by an agent or Prosecutor are potentially subject to discovery as embodying a Defendant’s statement, *see* Fed. R. Crim. P. 16, or as constituting the statement of a Government witness (including, among others, the person who prepared the notes, if he or she testifies), *see* 18 U.S.C. §3500.
2. Because notes are potentially discoverable, they must be preserved by the Government. *See United States v. Harris*, 543 F.2d 1247, 1252 (9th Cir. 1976); *United States v. Harrison*, 524 F.2d 421 (D.C. Cir. 1975).

3. In the event that any of the materials requested in this Motion have been destroyed, Defendant requests that this Court conduct a hearing and grant appropriate relief.

WHEREFORE, Defendant respectfully requests that this Court grant his Motion for preservation of rough notes and logs.

This Motion is based upon the Indictment, the records, and files in the above-entitled action, and any and all matters which may be presented prior to, or at the time of the hearing of said Motion.

Dated: September 23, 2022

Respectfully submitted,

/s/ James M. Ventura

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